

**REPORT TO: HOUSING, DUNDEE CONTRACT SERVICES AND ENVIRONMENT SERVICES COMMITTEE – 26 NOVEMBER 2007**

**REPORT ON: POLICY FOR RECHARGING FOR REPAIRS**

**REPORT BY: DIRECTOR OF HOUSING**

**REPORT NO.: 550-2007**

**1. PURPOSE OF REPORT**

- 1.1. This report outlines a proposed policy for recharging tenants for certain repairs and associated works carried out under the Repairs Partnership by DCS.

**2. RECOMMENDATIONS**

- 2.1. It is recommended that the Policy for recharging for repairs as outlined in this report be agreed.

**3. FINANCIAL IMPLICATIONS**

- 3.1. None.

**4. MAIN TEXT**

- 4.1. Currently, the recharging of repairs is left to the discretion of the District Offices and Housing Repairs Centre staff. Commonly, the decision is based on whether there is evidence of wilful damage or neglect. The lack of formal guidance from an agreed policy can lead to a lack of consistency across the City.

**4.2. The Current Process**

- 4.2.1. In simple terms, the person logging the job clicks on a tick box which signals a rechargeable repair. These jobs are printed in a list at each District Office. District Office staff then have to input details into the Council's Powersolve system which raises a sales ledger invoice in the Finance Department. They send out the invoice and recover payment.

- 4.2.2. Having a clear policy for recharging for repairs would ensure that recharging is consistent across the City and that tenants can be advised in advance, where possible, that they will be recharged and given an approximate cost of the work (if it is a benchmark job).

**4.3. Rechargeable Circumstances**

- 4.3.1. It is difficult to anticipate every rechargeable occurrence, so it is proposed a set of principles are used.

4.3.2. Therefore, any repair can be recharged if the repair is a direct result of the tenant's actions by:

- Wilful damage.
- Negligence or neglect.
- Causing a health and safety issue.
- Unauthorised improvements requiring reinstatement.

4.3.3. In these circumstances, the Housing Officer can recharge for any repair provided the cause and effect can be established. However, it may be necessary for the repair to be inspected prior to ordering work. If the repair has arisen because of one of the rechargeable circumstances, then the tenant will be advised prior to the repair being ordered. The Housing Officer will take into account all the circumstances regarding the repair requested before deciding whether to recharge.

4.3.4. A repair arising from accidental damage will not be recharged for. Tenants have a duty of care to look after the interior of their property and where a tenant has taken reasonable steps to prevent or reduce the risk of accidental damage then any repairs arising from an accident will not be recharged. However, where a tenant has failed to take reasonable care resulting in damage requiring a repair, the Housing Department may view this as negligence and recharge for the repair.

#### 4.4. **Emergencies**

4.4.1. Some repairs covered by this policy may be undertaken as an emergency or be a follow-on to an emergency. In these circumstances the tenant will be advised that the repair can be rechargeable without an inspection being carried out. The recharging policy will not prevent emergencies from being undertaken. The rechargeable cost will include the cost of attending to the emergency and any costs arising from follow-on repairs.

#### 4.5. **Tenants' Responsibilities**

4.5.1. A tenant can elect to have the rechargeable repair carried out by the Council and be recharged for the cost of the work. Alternatively, the tenant can opt to undertake the work themselves or by a bona fide contractor and pay for this work themselves.

4.5.2. However, where the Council feel that the nature of the damage poses:

- i. A health and safety risk to the tenant or others.
- ii. A risk of further damage if left unattended.
- iii. A risk of causing damage or inconvenience to other tenants/occupants.

4.5.3. The Council may deny the tenant the option to organise their own repair and instead order the work to be carried out by Dundee Contract Services and recharge the tenant.

#### 4.6. **Relets**

4.6.1. Since empty properties are inspected after the tenant has left, it is difficult to forewarn the tenant in advance of rechargeable repairs. It has to be accepted that tenants will not receive advanced warning of this when they vacate the property.

4.6.2. However, the policy will at least provide for a consistent approach to recharging for relet repairs.

4.6.3. The Council retain the right to recharge for wilful damage to decoration, clearing the empty property of contents and cleaning the property to a habitable condition in addition to repairs to the property.

4.6.4. Where possible, photographic evidence will be taken of the rechargeable repairs and held on computer file until the appropriate invoice is paid by the ex-tenant.

#### 4.7. **Monitoring**

4.7.1. To gauge effectiveness, it is proposed that the value of recharge and debt recovery are monitored annually by the Repairs Service Management Board. It is also proposed that the policy be reviewed at the end of the 2007/08 financial year.

#### 4.8. **Appeals**

4.8.1. If a tenant disagrees with the decision to recharge, the tenant has the right of appeal to the appropriate District Housing Manager who will review the circumstances behind the decision to recharge. If the tenant is still unhappy with the District Housing Manager's decision, the tenant can appeal in writing to the Director of Housing whose decision will be final.

#### 4.9. **Denial of Service**

4.9.1. Where there is evidence that a tenant is abusing the repairs service by requesting repeat rechargeable repairs for example lock changes, the Housing Department reserve the right to deny the tenant a subsequent repair of this type. The Housing Department will take into account the frequency and cost of these repairs carried out previously, the circumstances behind the current repair request and the tenant's performance in paying previous recharges.

#### 4.10. **Conclusion**

4.10.1. This policy sets out principles for the recharging of day to day and relet repairs. For day to day repairs the tenant will be informed in advance, where possible, that the repair is rechargeable and, if a benchmark job exists, the approximate cost.

### 5. **POLICY IMPLICATIONS**

5.1. This report has been screened for any policy implications in respect of sustainability, Strategic Environmental Assessment, Anti-Poverty, Equality Impact Assessment and Risk Management.

5.2. There are no major issues.

### 6. **CONSULTATIONS**

6.1. The Chief Executive, Depute Chief Executive (Support Services), Depute Chief Executive (Finance) and Head of Finance. The Dundee Federation of Tenants' Associations has also been consulted on this report.

7. **BACKGROUND PAPERS**

7.1. None.

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**16 OCTOBER 2007**